

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA

ERIC WATKINS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. CIV-09-1381-C
	)	
CORRECTIONAL OFFICER	)	
DONNELLY, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**Report and Recommendation: Motion for a Default Judgment  
Against Defendants Ingram, Monroe, Manteuffell, and Kastner**

The Plaintiff has moved for a default judgment against defendants Ingram, Monroe, Manteuffell, and Kastner.<sup>1</sup> Although these defendants failed to timely respond to the complaint, the Court granted an extension after their deadline had expired and vacated the Clerk's entry of default. Because these defendants' responsive pleading is no longer considered untimely, the Court should deny the Plaintiff's motion for a default judgment with respect to Ms. Ingram, Mr. Monroe, Mr. Manteuffell, and Mr. Kastner.

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<sup>1</sup> Mr. Watkins has also moved for a default judgment against the other defendants. These requests will be addressed elsewhere.

The parties enjoy the right to object to the present report and recommendation. Any such objection must be filed with the Clerk of this Court by March 25, 2011.<sup>2</sup> The failure to timely object would foreclose appellate review of the suggested ruling.<sup>3</sup>

The referral is not discharged.

Entered this 8th day of March, 2011.

  
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Robert E. Bacharach  
United States Magistrate Judge

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<sup>2</sup> See 28 U.S.C. 636(b)(1) (2009 supp.); Fed. R. Civ. P. 6(d), 72(b)(2).

<sup>3</sup> See *Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991); cf. *Marshall v. Chater*, 75 F.3d 1421, 1426 (10th Cir. 1996) (“Issues raised for the first time in objections to the magistrate judge’s recommendation are deemed waived.”).